

EXHIBIT 1

<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE EASTERN DISTRICT OF VIRGINIA</p> <p>3 Richmond Division</p> <p>4 -----</p> <p>5 ePLUS INC.,) Civil Action</p> <p>6 Plaintiff,) No. 3:09-CV-620 (JRS)</p> <p>7 vs.)</p> <p>8 LAWSON SOFTWARE, INC.,)</p> <p>9 Defendant.)</p> <p>10 -----</p> <p>11</p> <p>12</p> <p>13</p> <p>14 Videotaped Deposition of</p> <p>15 LYNN S. CIMINO</p> <p>16 Bridgeton, New Jersey</p> <p>17 Tuesday, March 2, 2010</p> <p>18 9:58 a.m.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 Job No.: 24-174475</p> <p>24 Pages: 1 - 158</p> <p>25 Reported by: Elizabeth M. Kondor, CCR, CLR</p>	<p>1 APPEARANCES</p> <p>2</p> <p>3 ON BEHALF OF PLAINTIFF:</p> <p>4</p> <p>5 MICHAEL STRAPP, ESQUIRE</p> <p>6 -and-</p> <p>7 JAMES D. CLEMENTS, ESQUIRE</p> <p>8 Goodwin Procter, LLP</p> <p>9 53 State Street</p> <p>10 Exchange Place</p> <p>11 Boston, Massachusetts 02109</p> <p>12 (617) 570-1000</p> <p>13</p> <p>14 ON BEHALF OF DEFENDANT:</p> <p>15</p> <p>16 JOSHUA P. GRAHAM, ESQUIRE</p> <p>17 Merchant & Gould, P.C.</p> <p>18 3200 IDS Center</p> <p>19 80 South Eighth Street</p> <p>20 Minneapolis, Minnesota 55402-2215</p> <p>21 (612) 332-5300</p> <p>22</p> <p>23 ON BEHALF OF THE WITNESS AND SOUTH JERSEY</p> <p>24 HEALTHCARE:</p> <p>25 MIKOLE BURKE-ANDERSON, ESQUIRE</p> <p>26</p> <p>27 2950 College Drive - Suite 1E</p> <p>28 Vineland, New Jersey 08360</p> <p>29 (856) 641-8632</p> <p>30</p> <p>31 ALSO PRESENT:</p> <p>32 MIKE CILIBERTI, Video Specialist</p> <p>33</p> <p>34</p> <p>35</p>
<p>1</p> <p>2 VIDEOTAPED DEPOSITION OF</p> <p>3 LYNN S. CIMINO</p> <p>4</p> <p>5</p> <p>6</p> <p>7 Held in the offices of:</p> <p>8 Department of Human Resources</p> <p>9 South Jersey Healthcare</p> <p>10 333 Irving Avenue</p> <p>11 Bridgeton, New Jersey</p> <p>12</p> <p>13</p> <p>14 Taken pursuant to Federal Rules of Civil</p> <p>15 Procedure, before Elizabeth M. Kondor, CCR, CLR</p> <p>16 and Notary Public in and for the State of New</p> <p>17 Jersey, who officiated in administering the oath</p> <p>18 to the witness.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 EXAMINATION INDEX</p> <p>2</p> <p>3 WITNESS PAGE</p> <p>4 LYNN S. CIMINO</p> <p>5 Examination by Mr. Strapp.....7</p> <p>6 Examination by Mr. Graham.....141</p> <p>7 Further Examination by Mr. Strapp.....152</p> <p>8 Further Examination by Mr. Graham.....154</p> <p>9</p> <p>10 EXHIBIT INDEX</p> <p>11 (Exhibits attached.)</p> <p>12 EXHIBIT DESCRIPTION PAGE</p> <p>13 South Jersey 1 Subpoena for Production</p> <p>14 of Documents.....9</p> <p>15 South Jersey 2 Subpoena to Testify at</p> <p>16 a deposition.....9</p> <p>17 South Jersey 3 Document entitled</p> <p>18 "Instructions".....9</p> <p>19 South Jersey 4 Document entitled</p> <p>20 "Lawson Professional</p> <p>21 Services Statement of</p> <p>22 Work for South Jersey</p> <p>23 Health System, Inc."</p> <p>24 (SJH000002 - 84).....36</p> <p>25</p>

<p style="text-align: right;">109</p> <p>1 Volume 1, Tape No. 2 in the deposition of Lynn 2 Cimino. The time is 1:51. 3 (Recess.) 4 VIDEOGRAPHER: Back on the record. 5 Here marks the beginning of Volume 1, Tape No. 3 6 in the deposition of Lynn Cimino. The time is 7 1:56. 8 BY MR. STRAPP: 9 Q. Okay. Ms. Cimino, could you please 10 demonstrate for me, as best as you can, how, using 11 the Lawson System, the current live system 12 available at South Jersey, one would search for an 13 item, electronically request the item through a 14 requisition -- or let's say create the 15 requisition, approve the requisition and then 16 create a purchase order and view the purchase 17 order acknowledgment. 18 A. Not in the live system. 19 Q. Okay. 20 A. In the test system, I can create a 21 requisition and turn it into a PO. There is no 22 acknowledgment to see. We don't take those back 23 into the system. 24 Q. Okay. Could you show us then -- 25 demonstrate for us how you would request a</p>	<p style="text-align: right;">111</p> <p>1 Can you create it in the live version 2 of requisition? 3 A. I don't want to. 4 Q. Because you don't want to have an 5 actual requisition go out and someone is going to 6 go purchase whatever you -- 7 A. Correct, especially if you're going 8 to mess with inventory items. 9 Q. Okay. One more request, can you make 10 this requisition of a nonstock item, not an 11 inventory item? 12 A. I can. 13 Q. Okay. 14 A. I mean, I would be willing to show 15 you a requisition in the live system and then try 16 and find the subsequent PO from there and show you 17 all of that in the live system, but I don't want 18 to add it in there. 19 Q. Okay. Why don't we first do it in 20 the test system. 21 A. Okay. 22 Q. And let's make it of an item that's a 23 nonstock item. 24 A. Okay. 25 Q. And, preferably, if you can do it, an</p>
<p style="text-align: right;">110</p> <p>1 requisition and turn it into a purchase order? 2 A. Okay. Normally, we wouldn't create 3 the requisition in the system like this. If I 4 wanted to just -- I would have my paper req, which 5 get turned directly into a PO. If you want me to 6 try and walk through just creating a requisition, 7 releasing it and making a PO from that, -- 8 Q. Correct. 9 A. -- I'll try for you. 10 Q. Okay. And you mentioned this is a 11 test system? 12 A. Yes. 13 Q. Is there any reason that you're using 14 the test system instead of the live system? 15 A. Requisition self-service is not 16 installed in the live system. 17 Q. Okay. When you're going to create 18 the requisition here, are you going to be creating 19 it in requisition self-service or in -- 20 A. No. 21 Q. You're going to create it in 22 requisition? 23 A. I was going to create it -- I thought 24 that's what you wanted me to do. 25 Q. Yeah.</p>	<p style="text-align: right;">112</p> <p>1 item that is available from more than one 2 manufacturer, more than one vendor, like a diaper, 3 for example. 4 A. Okay. So if I'm understanding you 5 correctly, you want me to create a requisition for 6 a diaper, but you also wanted a nonstock? 7 Q. Correct. 8 A. And diapers, for the most part, I 9 think are stock. Okay, well, we'll see what 10 happens. 11 Q. Okay. And as you walk through it, 12 describe for the record, please, each step of the 13 way. 14 A. Okay. So I'm logged into RQ10, which 15 is the base requisition form within Lawson. 16 I'm going to just choose a requester 17 that is already set up in here. 18 I was trying to find one that I 19 thought it would just approve on. 20 I have to indicate which requesting 21 location this is coming to so then I can get the 22 other defaults that come in, like, our purchase 23 from location and company. 24 And here is where I'm actually going 25 to go ahead and pick the items that I want.</p>

<p style="text-align: right;">141</p> <p>1 little further.</p> <p>2 All right. Let's call a halt to</p> <p>3 this.</p> <p>4 MR. STRAPP: Can we take a break for</p> <p>5 just a couple of minutes, please?</p> <p>6 VIDEOGRAPHER: Going off the record</p> <p>7 at 2:53.</p> <p>8 (Recess.)</p> <p>9 VIDEOGRAPHER: Back on the record at</p> <p>10 2:53.</p> <p>11 BY MR. STRAPP:</p> <p>12 Q. Ms. Cimino, thank you for your time</p> <p>13 and cooperation and assistance. I appreciate it.</p> <p>14 We have no further questions at this time.</p> <p>15 MR. GRAHAM: I just have a few</p> <p>16 questions. I'll try to keep it brief.</p> <p>17 EXAMINATION BY MR. GRAHAM:</p> <p>18 Q. Can we -- so looking at the screen</p> <p>19 we're at right here, this is RQ10.</p> <p>20 Can you click on the search button.</p> <p>21 And this is the search that we've</p> <p>22 been using today?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. So when you add -- when you</p> <p>25 hit the plus sign over on the right side, that</p>	<p style="text-align: right;">143</p> <p>1 Q. And can you hit the add?</p> <p>2 A. To add the other search lines?</p> <p>3 Q. Yeah, I think so.</p> <p>4 A. Okay.</p> <p>5 Q. And then do an item description.</p> <p>6 And diaper, we've been using that</p> <p>7 one.</p> <p>8 Okay. Now, this time, when you click</p> <p>9 filter, it's still going to look through all the</p> <p>10 active items, but now it's going to search for two</p> <p>11 criteria?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. So it's still searching all</p> <p>14 the active items in the Item Master?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. It's not just searching the</p> <p>17 ones that popped up on P&G, it's still searching</p> <p>18 the entire Item Master?</p> <p>19 A. As far as I know. I mean, it should.</p> <p>20 Q. Thank you.</p> <p>21 Now, South Jersey upgraded its Lawson</p> <p>22 System in April of 2008?</p> <p>23 A. April of 2008 is when we signed the</p> <p>24 contracts.</p> <p>25 Q. Okay. And you had an existing system</p>
<p style="text-align: right;">142</p> <p>1 adds an additional level -- an additional criteria</p> <p>2 to filter through, right?</p> <p>3 A. Yes, additional search options.</p> <p>4 Q. Now, can you subtract that one?</p> <p>5 And go head and put in P&G in there.</p> <p>6 So these are all the items from the</p> <p>7 Item Master that have the P&G code; is that</p> <p>8 correct?</p> <p>9 A. Yes.</p> <p>10 Q. And when you did this search, do you</p> <p>11 know if it went through the entire -- searched the</p> <p>12 entire Item Master to find these results?</p> <p>13 A. It was searching active items in the</p> <p>14 Item Master.</p> <p>15 Q. And what are active items versus</p> <p>16 nonactive items?</p> <p>17 A. In our Item Master, we can designate</p> <p>18 that this is an active item or an inactive item.</p> <p>19 So if we had it in there and we don't intend to</p> <p>20 use it, we would make it inactive.</p> <p>21 Q. Okay. So this would be all the</p> <p>22 active items that have the P&G code next to it?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Can you click on search again?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">144</p> <p>1 at that time -- an existing Lawson System at that</p> <p>2 time?</p> <p>3 A. For materials only, yes.</p> <p>4 Q. And materials would be the</p> <p>5 procurement?</p> <p>6 A. Procurement, inventory.</p> <p>7 Q. Do you recall when you originally</p> <p>8 licensed that older system?</p> <p>9 A. No. I mean, we've had that for</p> <p>10 years.</p> <p>11 Q. Would it be before 1995?</p> <p>12 A. I think yes.</p> <p>13 Q. Now, walking through the installation</p> <p>14 a little bit, you testified that the actual</p> <p>15 installation of the upgrade was done by a third</p> <p>16 party vendor?</p> <p>17 A. Yes.</p> <p>18 Q. Blue Horseshoe; is that correct?</p> <p>19 A. Blue Horseshoe.</p> <p>20 Q. After Blue Horseshoe had installed</p> <p>21 the system, were there any items in the Item</p> <p>22 Master of the upgraded system?</p> <p>23 A. From the brand new install?</p> <p>24 Q. Yes.</p> <p>25 A. No.</p>